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**UNITED STATE DISTRICT COURT  
DISTRICT OF NEVADA**

DANIEL ANDREWS,

Plaintiff,

v.

CITY OF HENDERSON, a Nevada  
Municipal Corporation, PHILLIP  
WATFORD, and KARL LIPPISCH,

Defendants.

CASE NO.: 2:18-cv-01625-RFB-BNW

**STIPULATION AND ORDER EXTEND  
DISCOVERY CUT-OFF DATE,  
DISPOSITIVE MOTION DATE, AND THE  
PRE-TRIAL ORDER DATE  
(THIRD REQUEST)**

Plaintiff, DANIEL ANDREWS ("Andrews") and Defendants CITY OF HENDERSON,  
PHILLIP WATFORD, and KARL LIPPISCH ("Defendants"), by and through their counsel, hereby  
stipulate and agree as follows:

1. On August 28, 2018, Plaintiff filed their Complaint [#1].
2. On October 24, 2018, Defendants filed their Motion to Dismiss Plaintiff's Complaint  
[#17].
3. On November 6, 2018, Plaintiff filed their Opposition to Defendant's Motion to  
Dismiss Plaintiff's Complaint [#18].
4. On November 13, 2018, Defendants filed their Reply in Response to Plaintiff's



1 Opposition to Defendant's Motion to Dismiss Plaintiff's Complaint [#19].

2 5. On January 16, 2019, the United States District Court filed its Scheduling Order [#21],

3 6. On January 23, 2019, the parties jointly filed their Proposed Discovery Plan and  
4 Scheduling Order [#24]

5 7. The parties filed a first request for an extension as it relates to expert disclosures, Interim  
6 Status Report, and the Discovery Cut-Off dates.

7 8. On February 13, 2019, the United States District Court filed its Order [#28], granting  
8 the stipulated extension of the expert disclosure, Interim Status Report, and the Discovery Cut-Off  
9 dates.

10 9. On February 22, 2019, Plaintiff filed a Motion to Amend the Complaint [#32] and  
11 Defendants filed their Opposition [#34] to said Motion on March 7, 2019.

12 10. On May 13, 2019, the parties filed a second request for an extension of the rebuttal  
13 expert disclosure deadline, discovery deadline, dispositive motion deadline as Plaintiff's counsel was  
14 scheduled to have open heart surgery and needed at least two months to recuperate.

15 11. On May 14, 2019, the United States District Court filed its Order [#41], granting the  
16 second request for a stipulated extension.

17 12. On August 21, 2019, a United State District Court Judge Boulware held a hearing on  
18 Defendant's Motion to Dismiss and Plaintiff's Motion to Amend the Complaint. At the hearing, the  
19 Honorable Richard Boulware granted, in part, and denied, in part, Defendant's Motion to Dismiss  
20 and granted Plaintiff leave of court to file a First Amended Complaint. The Court further provided  
21 Plaintiff 30 days to serve the newly added Defendant Phillip Watford and extended the discovery  
22 deadline by thirty days to October 18, 2019, and the Dispositive Motion deadline to November 17,  
23 2019 [#55]. The Court further ordered the Joint Pretrial Order to December 17, 2019.

24 13. On August 28, 2019, Plaintiff filed his First Amended Complaint [#49] and served  
25 Defendant City of Henderson and Karl Lippisch on August 29, 2019.

26 14. On September 11, 2019, Defendants City of Henderson and Karl Lippsich filed their  
27 Answer to the First Amended Complaint [#56].  
28



1           15.     On October 23, 2019, Plaintiff served newly added Phillip Watford.

2           16.     On November 12, 2019, Defendant Phillip Watford filed his Answer to Plaintiff's First  
3 Amended Complaint [#64].

4           17.     This Request for an extension of discovery and unexpired dates is the third request  
5 and is not sought for any improper purpose or other purpose of delay. This request is made due to  
6 the newly added Defendant Watford being served after the discovery cut-off deadline of October 18,  
7 2019, and to afford Plaintiff the opportunity to depose newly added Defendant Watford. Both parties  
8 have completed all discovery with the exception of the deposition of the newly added Defendant  
9 Watford. Because newly added Defendant Watford was served after the discovery deadline, good  
10 cause exists for the requested extension.

11           18.     This is the third request for an extension and applies only to the extension of the  
12 discovery deadline as applied to Defendant Watford to allow Plaintiff an opportunity to depose newly  
13 added Defendant Watford, obtain responses to pending written discovery and the unexpired  
14 dispositive motion deadline. The parties respectfully submit that the reasons set forth above constitute  
15 compelling reasons and good cause for the stay of discovery.

16           19.     All parties, as indicated by the signature of counsel below, agree and stipulate to stay  
17 discovery at this time with extensions to the following deadlines:

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- 19           a.     Discovery Cut Off – December 20, 2019
- 20           b.     Dispositive Motions – January 20, 2020

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1 c. Pre-trial Order – February 19, 2020. If dispositive motions are filed, then this  
2 deadline shall be suspended until 30 days after the Court files an Order on any Dispositive Motions.

3 DATED this 14<sup>th</sup> day of November, 2019.

DATED this 14<sup>th</sup> day of November, 2019.

4 CITY OF HENDERSON

LAW OFFICES OF PETER GOLDSTEIN

5  
6 /s/ Michael J. Oh

MICHAEL J. OH

7 Assistant City Attorney

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Attorney for Plaintiff

DANIEL ANDREWS

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15 IT IS SO ORDERED

16 DATED: November 15, 2019

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19  
20 BREND A WEKSLER

21 UNITED STATES MAGISTRATE JUDGE

